

STATE ELECTION COMMISSION, HARYANA

NIRVACHAN SADAN, PLOT NO. 2, SECTOR 17, PANCHKULA

Order

The 5th November, 2009

No. SEC/3ME/2009/227.—As per provisions contained in Section 13 D and 13 E of Haryana Municipal Act, 1973, every contesting candidate of Municipal Committee has to maintain his election expenditure account from the date of his nomination till the declaration of result. As per orders dated 19th December, 2006, State Election Commission, Haryana has fixed the time limit *i. e.* 'within 30 days of declaration of result' to file the election expenditure with the Deputy Commissioner or any other officer prescribed by the State Election Commission, Haryana, and the candidates those who will not file his election expenditure account within time limit and make expenditure beyond expenditure limit fixed by the State Election Commission, Haryana will be disqualified by this State Election Commission for three years.

The General election to Municipal Committee, Tarou, District Mewat, was held on 20th January, 2008. The two candidates Sh. Mohar Pal, Ward No. 2 and Sh. Mahender Kumar, Ward No. 10 failed to lodge their election expenditure account within 30 days of declaration of result.

They were issued show cause notice as to why they should not be disqualified because they had not filed the election expenditure statement in time. After issuance of Show cause notice they filed their election expenditure statement which were received in the Commission on 2nd June, 2009 and 3rd June, 2009. They had also submitted in their written reply that due to illness they could not deposit their election expenditure in the prescribed time.

They were personally heard by me on 3rd November, 2009 at 12.00 Noon at Canal rest House, Taoru. Sh. Mohar Pal has stated that he has submitted his written reply and election expenditure statement in the Commission on 1st June, 2009 and his written reply may be treated as his statement. His supporting of his illness a Medical certificate and prescription of Vijay Clinic, Taoru. Sh. Mahender Singh stated that he has already submitted his reply and election expenditure statement in the Commission on 3rd June, 2009 and his written reply may be treated his statement. He further stated that he met with an accident on 7 or 8 Feb., 2008 due to his accident, he is not able to move without any assistance. I have personally seen him. The version of the candidate is correct. Regarding medical certificate he stated that the medical papers in this regard were not presently available with him because accident occurred in the month of Feb., 2008.

After taking into consideration the statement and medical certificate and after taking a lenient view Sh. Mohar Pal and Sh. Mahender Singh are hereby exempted from filing their election expenditure statement beyond the prescribed time limit and the show cause notices issued to them are filed.

Copy of the order be communicated to all concerned and got notified in the Haryana Government Gazette.

Chandigarh :
The 5th November, 2009

CHANDER SINGH,
State Election Commissioner, Haryana.